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10/733,493	12/10/2003	Tomoyuki Terada	15162/05620	7682
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

***Response to Arguments***

1. Applicant's arguments filed 7/9/2008 have been fully considered but they are not persuasive.

With regard to the applicants' argument that: Applicants respectfully submit that this is not a fair or logical reading of Figure 3. Step 15 is a three-way decision step. Step S15 is labeled "MOVING OBJECT DETECTED OR TIME-OUT?". The three branches are clearly labeled. The first branch is labeled "NO," which means that no moving object was detected. In this case, the process loops back to Step S14. The second branch (beneath the box) is labeled "DETECTION OF MOVING OBJECT." If a moving object was detected, the process proceeds to Step S16. The third branch is labeled "TIME-OUT," which means that a predetermined count of NO loops to Step S14 has occurred. In this case, the process proceeds to Step S20. As explained in the specification:

[0046] The controller 32 makes a determination as to whether or not the moving-object has been detected in the moving-object detector 31, and also makes a determination as to whether or not a predetermined counted value has been reached through the counting operation so as to make a determination as to time-out (step S 15). Herein, when no moving-object has been detected without time-out, the moving-object detection process (step S 14) are repeatedly executed. In contrast, upon receipt of the information that any moving object has been detected, the sequence proceeds to step S16, while in the case of the time-out, the sequence proceeds to step S20. The limitation of claim 1 in question currently reads: a determining unit which determines that said trigger signal is a valid signal when said detector detects no

change in the images within a predetermined time from the input of said trigger signal to said signal input unit; and ...

If no movement is detected in a predetermined time a TIMEOUT occurs and process branches to Step S20. If the TIMEOUT is determined to be abnormal in step S20, the trigger signal is determined to be valid at Step S21. Therefore, a determining unit as claimed in Claim 1 is fully described in the specification. Claims 3, 6-8, 10, 11 include this limitation by dependency from claim 1, and are thus also fully supported. Claim 16 includes a limitation of "determining said trigger signal is a valid signal when no change is detected in the images within a predetermined time from the input of said trigger signal." As noted, this step is clearly supported by the specification. Claims 17 and 18 include this limitation by dependency from claim 16, and are also fully supported..

First of all, the examiner totally agrees that "Step 15 is a **three-way decision** **step** as argued, and they are completely separated steps. It is, however, respectfully submitted that it is not fair to interpret that "**The third branch is labeled "TIME-OUT," which means that a predetermined count of NO loops to Step S14 has occurred. In this case, the process proceeds to Step S20**" or "no movement is detected in a predetermined time a TIMEOUT occurs and process branches to Step S20". The "NO" decision resulted from "MOVING OBJECT DETECTED" step as clearly indicated in figure 3 is not a pre-conditioned step for "IS TIME OUT ABNORMAL?" step as argued but it is a completely separate step or that the "IS TIME OUT ABNORMAL?" step is part of the "NO" decision resulted from "MOVING OBJECT DETECTED" step

and that is the reason why the claims are rejected as failing to comply with the enablement requirement.

The claims recite among other, limitation of "a determining unit determining said trigger signal as a valid signal when no change is detected in images in said detector within a predetermined time from the input of said trigger signal to said signal input unit". The claims clearly use a "NO" when checking "MOVING OBJECT DETECTED" as a pre-conditioned step for further checking "IS TIME OUT ABNORMAL?". It is further noted that the paragraph 0044-0051 are used to described the flowchart of figure 3; and specifically, paragraph 0046 is unclear at best. In conclusion since there is nothing in the original disclosure shows that a "NO" when checking "MOVING OBJECT DETECTED" is a pre-conditioned step for further checking "IS TIME OUT ABNORMAL?", the examiner maintains his rejections.

With regard to the applicants' arguments that: "In contrast to the cited references, claim 20 includes: a determining unit which determines said trigger signal is an invalid signal when said detector detects a change in the images within a predetermined time period between a first time from the input of said trigger signal to said signal input unit and a second time subsequent to said first time, and determines said trigger signal is a valid signal when said detector detects a change in images before said first time or after said second time; ...

Gutta does not provide any operational description of any detection process other than to say that classifier 510 is trained to do so (5:14-49). **Gutta does not describe any particular trigger signal**, though it describes many sensors that may be

programmed to produce trigger signals with the assistance of hindsight and the teachings of applicants' specification. However, there is no teaching or suggestion in Gutta of a "detector [that] detects a change in the images within a predetermined time period between a first time from the input of said trigger signal to said signal input unit and a second time subsequent to said first time, and determines said trigger signal is a valid signal when said detector detects a change in images before said first time or after said second time." As described in applicants' specification in ¶¶ [0048] and [0049], this type of detector allows for discriminating between normal activity and abnormal activity: [0048] For example, when the detection sensor 100 is attached as a door sensor so that the camera unit 10 captures images in the vicinity of a passage connecting to the door, the period of time from the opening of the door until the time at which a certain person has passed through the passage tends to fall within a predetermined range in a normal case. In contrast, in the case of a suspicious intruder, the intruder tends to walk faster than the normal walking speed or walk very slowly, with the result that the period of time from the opening of the door until the time at which the person has passed through the passage does not fall within the predetermined range in some cases.

[0049] For this reason, when the period of time (TI-T0) from the input of the trigger signal by the detection sensor 100 to the detection of the moving object falls within a predetermined range, the signal determination unit 33 determines that the trigger signal is derived from not the detection of an abnormal state, but the detection of a normal state, and recognizes the inputted trigger signal as an invalid signal (step S18). In contrast, when the period of time (TI-T0) from the input of the trigger signal by

the detection sensor 100 to the detection of the moving object does not fall within a predetermined range, it determines that the trigger signal is derived from the detection of an abnormal state, and recognizes the inputted trigger signal as a valid signal (step S21).

Gutta does not describe any detection process, much less the detection process in the above-quoted section of claim 20. To anticipate, a reference must show, expressly or inherently, every limitation of the claim. MPEP § 2131. Therefore, claim 20 is not anticipated by the cited references. Claims 21-28 are dependent upon claim 20, and thus include every limitation of claim 20. Therefore, claims 21-28 are also not anticipated by the cited references.

Also in contrast to the cited references, claim 29 includes, determining said trigger signal is an invalid signal when a change in images is detected within a predetermined time period between a first time from the input of said trigger signal and a second time subsequent to said first time, and determining said trigger signal as a valid signal when a change in images is detected before said first time or after said second time; ....

As noted above, Gutta does not describe any detection process, much less the detection process in the above-quoted section of claim 29. Therefore, the cited references do not anticipate claim 29. Also in contrast to the cited references, claim 30 includes, determining said trigger signal is an invalid signal when a change in the images is detected within a predetermined time period between a first time from the input of said trigger signal and a second time subsequent to said first time, and

determining said trigger signal is a valid signal when a change in images is detected before said first time or after said second time; ....

As noted above, Gutta does not describe any detection process, much less the detection process in the above-quoted section of claim 30. Therefore, the cited references do not anticipate claim 30. Claims 31 and 32 are dependent upon claim 30, and thus include every limitation of claim 30. Therefore, claims 31 and 32 are also not anticipated by the cited references.”.

The examiner respectfully disagrees. It is submitted that Gutta et al in column 3, lines 16-19 discloses conditions classes for a suitable monitor system may include events such as **trigger by** a breathing sensor, **motion sensor**, or audio sensor in prior art devices and it is further submitted that motion sensor operates when temporal pictures are compared to detect changes and when changes exceeds a predetermined threshold, it trigger an alarm signal. Further more, in column 3, lines 26-28, Gutta et al defines during a time other than a previously defined time (predefined time T0-T1, so other time falls outside the range or falls before T0 or after T1), if there is lack of normal movement or there is an abnormal movement such as rapid movement (which will be detected by motion sensor, i.e. successive pictures are compared to detect changes), this will be one of the scenario that triggers an alarm signal. Having answered all arguments, the examiner maintains his rejections.

With regard to the applicants' argument that: "There is no suggestion of a trigger signal in the 41000 reference. The cameras operate continuously (Page 2, lines 1-5). Furthermore, there is no suggestion of detecting "a change in the images within a

predetermined time period." Both cameras take still images. These images are compared to see if the same vehicle is present. There is not attempt to detect movement at either camera. Because there is no suggestion of these limitations, they would not have been obvious to one of skill in the art from the reference.". The examiner respectfully disagrees. It is respectfully submitted that the upper limit of vehicle speed in a predetermined zone is considered a threshold to trigger an alarm signal. Having answered all arguments, the examiner maintains his rejections.

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nhon T. Diep whose telephone number is 571-272-7328. The examiner can normally be reached on m-f.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mehrdad Dastouri can be reached on 571-272-7418. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



Art Unit: 2621

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ND

/Nhon T Diep/  
Primary Examiner, Art Unit 2621